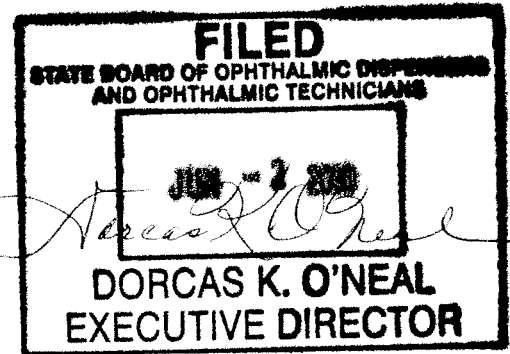


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF EXAMINERS OF
OPHTHALMIC DISPENSERS AND OPHTHALMIC
TECHNICIANS

IN THE MATTER OF	:	
	:	Administrative Action
MARK ROSENWEIG	:	
	:	CONSENT ORDER
ENGAGING IN THE UNLICENSED	:	
PRACTICE OF OPHTHALMIC	:	
DISPENSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened before the New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians (hereinafter "the Board"), upon receipt of information that Mark Rosenweig (Respondent), an employee at OPTICA, located at 1200 Morris Turnpike, Suite D229, Short Hills was representing himself as an "Optician" and engaging in ophthalmic dispensing despite his lack of licensure, in violation of N.J.S.A. 52:17B-41.18. From May 8, 2003 until May 8, 2006 respondent held a permit as an Apprentice at Eyesfirst Vision Center, 1147 Highway 35, Middletown, New Jersey. During February 2003 respondent applied to take the ophthalmic dispensing licensing examination but never took the examination and his apprentice permit expired during on May 8, 2006.

Respondent appeared pro se before the Board on November 18, 2009 for an inquiry into this matter, and admitted that he engaged in

ophthalmic dispensing at OPTICA from July 2009 through November 2009, gave clients business cards stating that he was a "Licensed Optician," and wore a nametag stating "Mark Rosenweig, Optician," despite his lack of licensure in the State of New Jersey. Respondent stated that when he was hired by OPTICA in or about July 2009, he advised the company that he was not licensed in New Jersey but that he was trying to get his New Jersey license. Respondent explained that he graduated from Interboro Community College in 1982 with a associate degree in applied sciences for ophthalmic dispensing and was licensed to practice ophthalmic dispensing in New York until 2003. Respondent stated that he held a permit as an apprentice in New Jersey until 2006 but has not taken the New Jersey licensing examination. Respondent acknowledged that he only recently read the statutes and regulations pertaining to ophthalmic dispensing in the State of New Jersey.

Having reviewed the entire record, including respondent's testimony before the Board on November 18, 2009 and business cards identifying respondent as an "optician," the Board finds that respondent misrepresented his credentials, in violation of N.J.S.A. 45:1-21(b) and worked as an ophthalmic dispenser without the minimum requirement of licensure, in violation of N.J.S.A. 52:17B-41.1. It appearing that the parties desire to resolve this matter without recourse to formal proceedings, respondent waiving any right to a hearing and for good cause shown,

IT IS ON THIS 25th DAY OF May, 2010

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall immediately cease and desist from engaging in, or holding himself out as engaging in the practice of ophthalmic

dispensing in the State of New Jersey unless and until he is licensed to do so.

2. Respondent shall immediately cease and desist from holding himself out as an "optician," or any other title implying he holds a license unless and until he is licensed as an ophthalmic dispenser, pursuant to N.J.S.A. 52:17B-41.5.

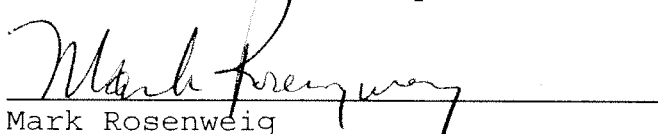
3. Respondent is hereby assessed civil penalties pursuant to N.J.S.A. 45:1-22 and N.J.S.A. 45:1-25 in the amount of twenty thousand dollars (\$20,000.00). Providing that respondent complies with all of the terms of the Consent Order, twelve thousand twenty five hundred dollars (\$12,500.00) of the civil penalty shall be stayed. Payment of the civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and sent to Dorcas O'Neal, Executive Director, New Jersey State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians, P.O. Box 45011, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

4. Failure to remit any payment as required by this Consent Order will result in the filing of a Certificate of Debt, and such collection or other proceedings as permitted by law.

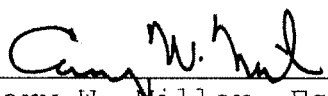
NEW JERSEY STATE BOARD OF EXAMINERS OF
OPHTHALMIC DISPENSERS AND OPHTHALMIC
TECHNICIANS


By: Linda Cohen, President

I have read and understand this Consent
Order and agree to be bound by its terms
I consent to the entry of this Order.


Mark Rosenweig

Consent as to form and entry of this Order:



Cary W. Miller, Esq.
Hooper, Lundy & Bookman, Inc.
Attorney for Mark Rosenweig